IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 30TH NOVEMBER 2007 / 9TH AGRAHAYANA 1929

Bail Appl..No. 7472 of 2007()

AGAINST THE JUDGEMENT/ORDER IN BA.6347/2007
CRIME NO.342/2007 OF VANCHIYOOR POLICE STATION

.....

: PETITIONER

SAJESH, AGED 24 YRS,
S/O.SIVASANKARAPILLA, POOVANTHUMVILA,
KOTTARAKARA TALUK.

BY ADV. SRI.A.T.ANILKUMAR

RESPONDENTS:

CIRCLE INSPECTOR OF POLICE,
VANCHIYOOR POLICE STATION, REP. BY PUBLIC
PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.S.U.NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 30/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.7472 of 2007

Dated this the 30th day of November, 2007

ORDER

Application for regular bail. Petitioner faces allegations in a crime registered initially under Section 120 B and 392 I.P.C. The petitioner was arrested on 27.09.07. The petitioner continues in custody from that date. The petitioner had come before this Court earlier for grant of regular bail and by order dated 22.10.07 in B.A.6347 of 2007, the said petition was dismissed with observations. I have adverted to facts in detail in the said order. This order must be read in continuation of that order. I am not hence adverting to facts in detail in this order.

2. The learned counsel for the petitioner prays that the petitioner who has remained in custody from 27.09.07 may be enlarged on bail. Though initially a contention was raised that the petitioner is entitled for bail by default under the proviso to Section 167(2) Cr.P.C, after detailed discussions, that contention is not pressed.

3. The learned Public Prosecutor opposes the application. Considering the nature and gravity of the allegations, the antecedents of the petitioner and the fact that the investigation is not complete yet, the petitioner may not be granted regular bail. The investigators in a serious crime like this are entitled for reasonable further time to complete the investigation, submits the learned Public Prosecutor.

4. Having considered all the relevant inputs, I find merit in the opposition. I am satisfied that the petitioner is not entitled to be enlarged on bail at this early state.

5. This application for regular bail is, in these circumstances, dismissed, but with the observation that the petitioner shall be at liberty to move this Court or court below for bail again at a later stage of the investigation - not, at any rate, prior to 14.12.2007. The investigators shall in the meantime make every endeavour to complete the investigation.

(R.BASANT, JUDGE)

rtr/-